

1885-037 Chancery Causes: Silas D. Martin vs. Alexander C. McNeil &  
Lee Co.

Ewing, Harris, Miller, Whitehead

2 Plots

CA Estate Dispute  
T Property

- Deed



To the Hon, John A. Kelly Judge of the Circuit  
Court of Lee County Virginia;

Humbly complaining Your Orator Silas  
D. Martin would respectfully show unto your Honor  
that by the last will and Testament of John Miller  
Sr. who some years ago departed this life in said  
county of Lee, he devised and bequeathed to four  
of his children in said will named, the western  
half of the farm on which he lived at the time  
of making said will lying and being in said county  
about 4 miles west of Jonesville, and on both sides  
of the main road, And a plot and diagram of  
said western part of said land is herewith filed as  
a part of this bill marked (A)

Your Orator further states that by a chancery suit  
recently determined in your Honors court said western  
part of the said John Miller farm was partitioned  
among those entitled thereto at the time said division  
was made. And by reference to said plot and diagram  
Your Honor will see that lot No. 1 was assigned to  
Samuel Miller, and is now owned by A. B. McNeil  
that lots No. 3 and four, were assigned to Peter T. Miller  
and Mary Miller his wife and to the four children of the latter.



and the same is now owned by one H<sup>st</sup>. Morgan, and lot No. 2 was assigned to Charles H. Ewing, John M. Ewing, Ellen M. Ewing, Batholub R. Ewing, Gray Harris and Emily Harris, grand children of said John Miller and children and heirs at law of Mary Ewing, afterward Mary Harris who is now dead,

Your Orator further states that said Ellen M. Ewing intermarried with a man by the name of Alexander S. Whitehead, and that he and his said wife Ellen M., by deed dated January 9<sup>th</sup> 1882 <sup>a copy thereof is</sup> and <sup>herein</sup> filed as a further part of this bill marked (B) conveyed to your Orator all of their undivided right title and interest in and to said lot No. 2 being one sixth part thereof.

Your Orator further states that said John M. Ewing has sold and conveyed his undivided interest in said lot No. 2 to the said Alexander C. McNeil a copy of the deed by which said conveyance was made is herein filed (C)

Thus again Honor will see that said lot No. 2 is now owned by your Orator, A. C. McNeil, Charles H. Ewing, Batholub R. Ewing, Gray Harris, and Emily Harris, in equal proportions,

Your Orator further states that said Charles H. Ewing ~~Batholub R. Ewing~~, Gray Harris, and Emily Harris are all non-residents of the Commonwealth of Virginia as was <sup>as was</sup> Batholub R. Ewing and the last two named are infants under 21 years old



Your Orator further states that for the last five or six years the said Alexander B. McNeil has been using said lot No. 2 as his own property by cutting and using valuable rail timber thereon and hauling the same upon his other lands, and in chopping and removing large quantities of valuable firewood from said lot No. 2 upon his other lands where the same was used and consumed for his own individual purposes, and your Orator here charges that said Alexander B. McNeil has in the manner indicated greatly injured and damaged said lot No. 2. And your Orator is advised that for these his unauthorised and illegal acts, a court of equity will hold him to a strict account therefor.

Your Orator further states that the red line running east and west on said plot (A) indicates pretty correctly the manner in which the main road passes through said several lots of land, and especially lot No. 2. And your Orator further states that he is the owner of a tract of land lying south of, and adjoining said several lots of land, as will be seen by reference to the land represented by the diagram included in the red lines on said plot.



Your Orator now states that his main object in purchasing one interest in said lot No. 2 which adjoins his other land was to procure himself an outlet to the main road without subject<sup>ing</sup> others to inconvenience, or the County to expense and he is advised that a court of equity, if the same can be done without prejudice or injury to the other parties interested, will assign your Orator his one Sixth part of said lot No. 2 off of the south end thereof, and adjoining his other lands, and your Orator alleges that such an assignment can be made without injury or prejudice to the rights of the other parties interested:

Your Orator is advised that under the facts of his case and the law of the land he is entitled in a court of equity to have said lot No. 2 partitioned between himself and the other parties interested, and to an account for the injury and damage done thereto by said A. B. McKel in the use of the timber aforesaid, and to attain these ends is the object of this Suit. Your Orator therefore prays that said Alexander B. McKel, Charles H. Ewing, Bathshela R. Ewing, Gray Harris, and Emily Harris be made parties defendant hereto and required to answer the same fully on oath. That order of publication be entered posted and



published against said Charles H. Ewing, ~~Bathsheba R. Ewing~~, Oraz Harris, and Emily Harris, that a guardian <sup>for Bathsheba R. Ewing</sup> and letim be appointed for the last two, to defend their interest in this suit, and that upon a final hearing of the cause, the said M. Neil be required to account for the value of the timber taken by him from said lot No. 2 and for the damage resulting therefrom, that said lot be decreed to be partitioned into 6 equal lots, one of which to be assigned said M. Neil adjoining his other land if he so desire it, and the same can be done without injury to the other parties. One share to said Charles H. Ewing, one to Bathsheba R. Ewing, one to Oraz Harris, one to Emily Harris, and a like share to said Oraz, and this his share to be assigned him out of the south end of said lot No. 2 so as to enable him to reach the main road on his own premises. And he further prays for all general relief in the premises. May the Honorable Court of Sess. issue directed &c.

Henry J. Morgan for Plff

The plaintiff abandons so much of the foregoing bill as seeks to hold the deft M. Neil to account for Rail timber and fire wood and damages consequent thereon.

Henry J. Morgan for Plff



6 8.01 to Jan 1 1885-

S 1.00  
D 5.00  
P 5.00  
A 15.00  
C 5.00

39.01  
2.78 add for C  
2.56 less 6  
1.50 for S

\$45.29  
7.58

S. D. Martin 7.55  
A. C. Macnee 7.55  
Chas H. Harris 7.55  
Orey Harris 7.55  
Emily Harris 7.55  
Bathsheba Harris 7.55  
\$45.30

Silas D. Martin <sup>Am</sup>

vs } Bill

Alex. C. McNeil & Co

1884 January 28<sup>th</sup> Bill Filed  
" Feb 1<sup>st</sup> Sp. Exd. & O. N.  
on Home Defts & Coud  
for order Publication

" March Coud for O. P.  
" Apr. May June Couds  
" July O. P. Completed & O. N.  
" Aug. O. N. Coufd and  
Cause Set for hearing by  
Plaintiffs

" Aug. Decree & Coud.  
1885. Mr. Decree final

S. D. Martin



To The Hon Jno A Kelly Judge of The Circuit  
Court of Loudoun County Virginia.

The Joint answer of Bathsheba  
R. Ewing, Oney Harris and Emily Harris  
by Jno M Morgan their Guardian ad  
Litem, to a bill exhibited in this honorable  
court against them and others by Silas W  
Martin,

This Respondent on behalf of his wards  
says, that he knows of no reason or  
fact, which he could or which he ought  
to allege in defence of the partition sought  
by the Plff, nor has his said wards in-  
formed him of any such Reason or fact.

Respondent says he has no knowledge  
personally, as to the charge of the Plff  
against A. C. McMill as to his making  
use of Rail Timber and pine wood  
taken by him from the premises in  
question, and used on his own pre-  
mises, But if upon the hearing of this  
cause, the facts turn out as alleged  
by plff in his bill, then this Resp-  
ondent on behalf of his said wards  
claims compensation, for said Timber  
and Damages, for the injury thus caused,  
to the Real Estate mentioned, by the un-  
warranted acts of said McMill



This Respondent further says, his said  
nephew was a young, and in com-  
petent to look after and guard their own  
interests in said suit - but being these  
are the subjects of the tender care  
of courts of Equity, and to your  
honors care these interests in the  
said suit are committed

Having now as fully as deemed neces-  
sary answered the plffs bill, Respon-  
dent prays that his words be hence  
dismissed &c

John M. Morgan & Co., Att-  
for Bathsheba Ewing, Ordy, and Emily Morris.



Bathsheba Ewing. et al  
ass<sup>ts</sup> Secy of G. A. L -

Silas D Martin



Silas D. Martin      Plff  
vs.      } In Chy  
A. B. McNeil & al      Defts }

This cause came in this day to be heard further on the papers formerly read in the cause and the report of Commissioners El Davis David O Woodard & Jefferson Kiff filed Nov. 6<sup>th</sup> 1884 Showing a division of the lot of Land in the Bill mentioned among the parties to the suit, and was argued by counsel and said report being accepted to. On consideration of all which It is adjudged ordered and decreed that said report be confirmed and pursuant thereto the plaintiff will take and hold lot No one as shown on the plat which accompanies said report as part thereof free from the claim of the defts. and that the deft McNeil do take and hold lot No. 2 the deft Chas. H. Harris lot No. 3 the deft. Bathsheba R. Ewing lot No. 4, the deft. Gray Harris lot No. 5 and the deft Emily Harris lot No. 6. each free from the claim of each of the others and that each of the said parties pay an equal part of the costs of this suit and execution is awarded against each of them for their due proportion thereof. And the clerk of this will deliver to the clerk of the county court of Lee County copies of the claim appearing said commissioners, of said report & plat & this decree. that the same may be recorded in the Book in which deeds are recorded & no further action being necessary, the parties are hence discharged & the cause stricken from the docket.



Silas D. Martin

as. { Deane N. 2 final

A. C. McNeil & Co.

March Term 1885

Entered page 421.

J. A. Hyatt C. C.

Entered this

J. E. K.

Mar. 25/85



Silas D. Martin                      Plff }  
vs.    } In Chancery  
A. B. McNeil & al      Dfts. }

This cause came on this day to be heard on the bill of the plaintiff and exhibits therewith taken for confessed by the adult defendants, and the answer of the infant defendants by John M. Morgan their guardian ad litem, and was argued by counsel.

On consideration of all which it is adjudged ordered and decreed that lot No. 2 in the bill mentioned be partitioned into 6 equal parts quantity and quality considered, and that one of these 6 parts be assigned the plaintiff adjoining his other lands if the same can be done without injury to the other parties, that a like sixth part be assigned the said A. B. McNeil adjoining his other lands if he desire it, and the same can be done without prejudice to the rights of the other parties, that a like sixth be assigned to Charles H. Ewing, a like quantity to Bathsheba H. Ewing, a like share to Oray Harris and a similar share to Emily Harris, and to attain such partition Eli Davis, David O. Woodard & Jefferson N. Jeff are appointed commissioners and are charged with the duty of making said partition, and they will report their action to the court, and until the coming in thereof the cause is continued.



Silas D. Martin

no.  $\frac{2}{3}$  Darn N<sup>o</sup> 1

A. B. McNeil & al

Entered page 390

J. A. G. Hyatt & co

Enter this.

J. O. A. K.

Aug. 27/84



Virginia

At a circuit Court continued and  
held for 40 August. 27<sup>th</sup> 1884.

Silas D. Martin

Plff

vs  
In Chy.

A. C. McKie et al

Defts

# # # # On consideration of all which  
it is adjudged ordered and decreed that lot  
No 2 in the bill mentioned be partitioned into  
Six equal parts quantity and quality considered  
and one of these 6 parts be assigned the Plff  
adjoining his other lands if the same can  
be done without injury to the other parties,  
that a like sixth part be assigned the Deft,  
A. C. McKie adjoining his other lands if he  
desires it, and the same can be done with-  
out prejudice to the rights of the other parties,  
that a like sixth be assigned to Charles H. Ewing  
a like quantity to Bathsheba R. Ewing, a like share  
to Orrey Harris and a similar share <sup>to</sup> Emily  
Harris, and to attain such partition Eli  
Davis, David O. Woodward & Jefferson Neff  
are appointed Commissioners and are charged  
with the duty of making said partition, and  
they will report their action to the court, and  
until the coming in thereof the cause is continued.

A Copy - Lesto - J. A. Hyatt &amp; Co.



Silas D. Martin  
3 Copy of Deeds  
203 for Camis.

A. C. McNeil et al

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Executed

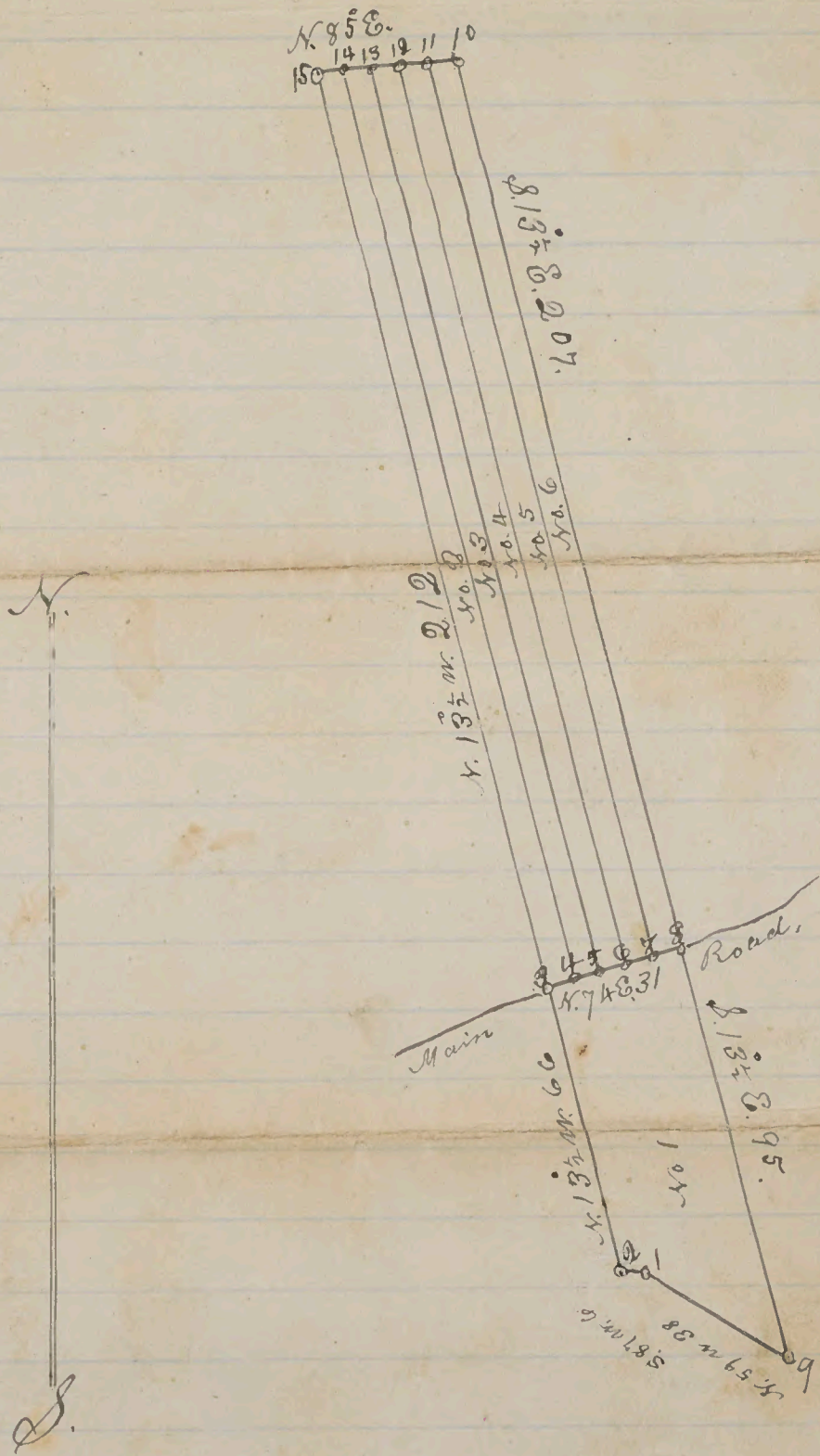
S. H. Ewing & S.

4 Copies

\$1.00



A. C. McNeil et al  
 Petition of lands  
 Recorded Dec 21 1869  
 # 21 Page 269.



Commissioners' Charges. E. Davis \$3.00, J. Neff \$1.00, David Woodward \$1.00  
 Total \$5.00



Pursuant to an Order of the Hon. Circuit Court of Lee Co. dated Aug. 27th 1884, in the case of Silas D. Martin et als, Plaintiffs vs. A.C. Mc. Neil et al Defendants, we the undersigned Commissioners proceeded on the 18th day of October 1884 to examine and partition the land in the bill mentioned among the several owners as follows:

1st

We assigned to Silas D. Martin the lot marked No. 1 estimated to contain 15 acres. This lot lies South of the main road and is bounded as follows: Beginning at a forked Spanish Oak in the edge of the cedars corner to Martin's land and running thence S. 87° W. 6 poles to a Stake on the old line, A.C. Mc. Neil's corner and with his line N. 13½° W. 66 poles to the main road and with it as it meanders N. 74° E. 31 poles to a Stake on a line of a lot once laid off and assigned to Peter Miller & wife and with said line leaving the road S. 13½° E. 95 poles to a corner of said lot, thence N. 59° W. about 38 poles to the beginning. See Fig. 1, 2, 3, 4, 5, 6, 7, 8, 9, 1, on the plat.

2nd.

We assigned to A.C. Mc. Neil, Defendant the western lot marked No. 2, estimated to contain about 8 acres and bounded as follows: viz. Beginning in the main road on a line of said Mc. Neil's land and running thence with the same N. 13½° W. 212 poles to a stake on the E. side of a hollow, Mc. Neil's corner, thence N. 85° E. 66 poles to a Stake, corner to the 3rd. lot and with a line thereof S. 13½° E. 210 poles to the main road and with it S. 74° W. 66 poles to the beginning.



3rd.

We assigned to Charles H. Ewing the lot marked No. 3, on the plat containing about 8 acres, and bounded as follows. Beginning at a stake in the main road, corner to the 2nd lot and running thence with the east line of the 2nd lot N.  $13\frac{1}{2}^{\circ}$  W. 210 poles to a stake on the old line and with it N.  $85^{\circ}$  E. 66 poles to a stake, corner to the 4th lot and with a line thereof S.  $13\frac{1}{2}^{\circ}$  E. 210 poles to a stake in the main road and with it S.  $74^{\circ}$  W. 66 poles to the beginning. See Fig. 4. 1A. 1B. 5. 4.

4th

We assigned to Bathsheba R. Ewing the lot marked No. 4 on the plat containing about 8 acres, and bounded as follows. Beginning at a stake in the main road, corner to the 3rd lot and running thence with a line thereof N.  $13\frac{1}{2}^{\circ}$  W. 210 poles to the old line at a corner of the 3rd lot; thence with the old line N.  $85^{\circ}$  E. 66 poles to a stake corner to the 5th lot and with a line thereof S.  $13\frac{1}{2}^{\circ}$  E. 209 poles to a stake in the main road, and with it S.  $74^{\circ}$  W. 66 poles to the beginning.

5th

We assigned to Orrey Harris, the lot marked No. 5, containing about 8 acres



and bounded as follows. Beginning at a Stake in the main road corner to the 4th lot and running with a line thereof  $N. 13^{\circ} \frac{1}{2} W.$  209 poles to a Stake on the old line and with it  $N. 85^{\circ} E.$  66 poles to a Stake, corner to the 6th lot and with a line thereof  $S. 13^{\circ} \frac{1}{2} E.$  208 poles to a Stake in the main road; Thence with the road  $S. 74^{\circ} W.$  66 poles to the beginning. See Fig. 6.12.11.7.6.

6th We assigned to Emily Harris the lot marked No. 6, Containing about 8 acres and bounded as follows. Beginning at a Stake in the main road, corner to the 5th lot, and running thence with a line thereof  $N. 13^{\circ} \frac{1}{2} W.$  208 poles to a Stake on the old line, and with it  $N. 85^{\circ} E.$  66 poles to a large poplar on the old line, thence  $S. 13^{\circ} \frac{1}{2} E.$  207 poles to a Stake in the main road, and with it  $S. 74^{\circ} W.$  66 poles to the beginning. In this partition we have endeavored to make each of the 6 lots equal in value. See the plat on this sheet. All respectfully Submitted.

Eli Davis.

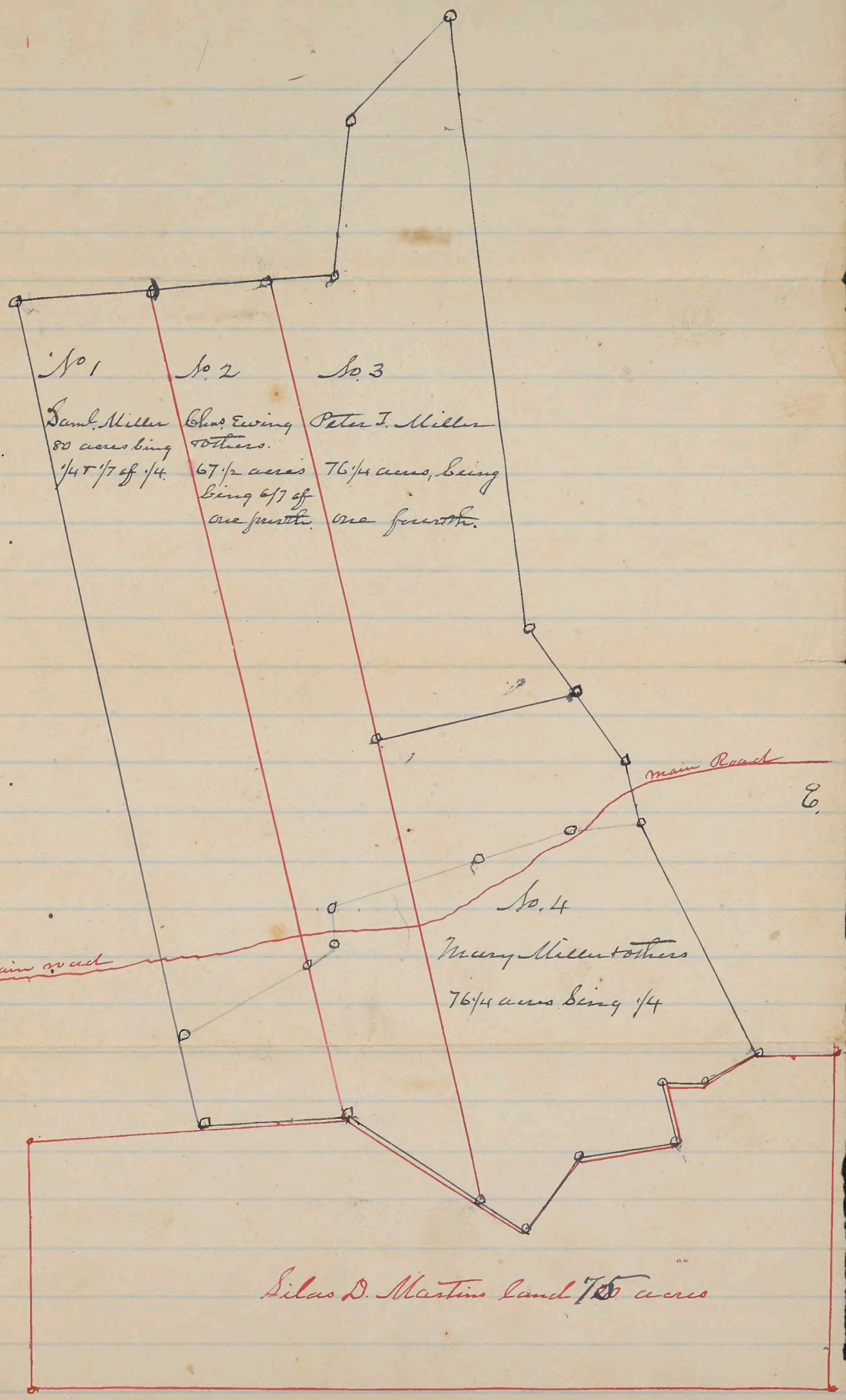
David O. Woodard

Lefferer Keff

Commissioners.



N



No. 1

Saml. Miller  
80 acres being  
 $\frac{1}{4}$  of  $\frac{1}{4}$

No. 2

Chas. Ewing  
& others.  
 $67\frac{1}{2}$  acres  
being  $\frac{6}{7}$  of  
one fourth.

No. 3

Peter J. Miller  
 $76\frac{1}{4}$  acres, being  
one fourth.

No. 4

Mary Miller & others  
 $76\frac{1}{4}$  acres being  $\frac{1}{4}$

main road

main Road

Silas D. Martins land 75 acres



Plot and Diagram of  
Western part of John Miller's

(A)



This deed made and entered into on this  
9<sup>th</sup> day of January 1882. between Alex-  
ander S. Whitehead and Ellen M. White-  
head his wife of Denton County Texas  
of the one part, and Silas D. Martin  
of Lee County Virginia of the other part,  
Witnesseth that for and in consideration of  
the sum of forty dollars the receipt of which  
is hereby acknowledged the said Alexander  
S. Whitehead and Ellen M. Whitehead his  
wife have this day bargained and sold  
and do hereby grant bargain, sell and con-  
vey to the said Silas D. Martin all of their un-  
divided right title and interest in and  
to a certain lot or parcel of land which  
decended to Mary Harris as an heir of John  
Miller deceased, the said Ellen M. White-  
head being a daughter and heir of  
Mary Harris deceased, said lot of  
land lies on both sides of the main Cam-  
berland Gap Road about four and  
one half miles west of Jonesville  
in Lee County Virginia, and is bounded  
on the west by the land of A. <sup>Alexander</sup> B. McNeil and  
on the East by the land of Peter T. Miller and  
Mary Miller his wife and contains 25 <sup>2</sup>/<sub>7</sub>  
acres more or less, and the interest  
therein hereby conveyed being the  
one undivided sixth part of said lot,



of land and for a more particular description of said lot of land a reference is hereby made to the partition of the lands amongst the heirs of John Miller deceased, and the said A. S. Whitehead and Ellen M. Whitehead his wife do hereby warrant generally against all persons the right title and interest hereby conveyed except against the life estate therein claimed by James E. Harris and his assignees and and as to said life estate of James E. Harris and his assignees they only warrant specially, the said Silas D. Martin takes the same subject to said life estate and risks the same witness our hands signatures and seals June 26<sup>th</sup> 1882.

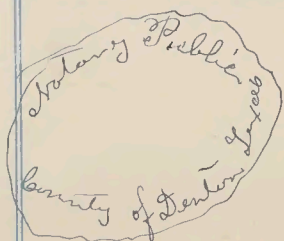
A. S. Whitehead *Seal*

Ellen M. Whitehead *Seal*

State of Texas }  
County of Denton } to wit:

This day Alexander S. Whitehead whose name is signed to the foregoing deed dated January 26<sup>th</sup> 1882 and executed to Silas D. Martin personally appeared before me the undersigned a Notary Public in and for Denton County Texas and acknowledged the same to be his act and deed. Given under my hand and seal this the 26<sup>th</sup> day of January 1882,

J. C. Johnson *Seal*  
Notary Public for Denton County Texas.

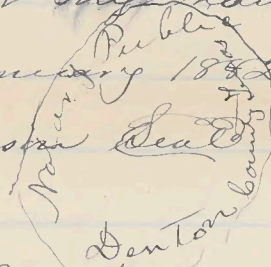




State of Texas County of Denton to wit:

This day Ellen M. Whitehead wife of Alexander S. Whitehead whose names are signed to the foregoing deed dated January 26th 1882, and executed to Silas S. Martin personally appeared before me the undersigned a Notary Public in and for Denton County Texas and she the said Ellen M. Whitehead being examined by me privily and seprate and apart from her said husband and having the deed aforesaid fully explained to her acknowledged that she had willingly executed the same and does not wish to retract it, Given under my hand and Seal this the 26th day of January 1882.

G. C. Johnson



Virginia, Lee County Court Clerk's office March 11 1882.

The foregoing deed from A. S. Whitehead and Ellen M. his wife of Denton County Texas, of the first part, to Silas S. Martin of Lee County Virginia, of the second part, was this day admitted to record upon the certificate of G. C. Johnson Notary Public in and for Denton County Texas.

Test John R. Gibson clerk  
copy Test John R. Gibson clerk



Hilda D. Martin  
From Zephyr of Seed

A. S. Whitehead Truf.  
Seed Book no. 19  
Page 566.

(B)

Cream

\$500 per ream

See for this copy 607)



This deed made and entered into this 30th day of September, 1882. between John M. Ewing. of Lawrence County Arkansas, of the one part, and A. C. McNeil of Lee County State of Virginia. of the other part, Witnesseth that for and in consideration of the sum of forty dollars the receipt of which is hereby acknowledged the said John M. Ewing has this day bargained and sold and do hereby grant, bargain sell and convey to the said A. C. McNeil all his undivided right title and interest in and to a certain lot or parcel of land which descended to Mary Harris as an heir of John Miller deceased the said John M. Ewing being a son and heir of Mary Harris deceased, said lot of land lies on both sides of the main road Cumberland Gap. road about four miles and half west of Jonesville Lee County Virginia, and is bounded on the west by the lands of the aforesaid A. C. McNeil and on the east by the land of Peter T. Miller and Mary Miller his wife and contains  $59\frac{7}{8}$  acres more or less. and the interest therein hereby conveyed the one undivided Sixth part of said lot, land and for a more particular description of said lot, a reference is hereby made to the



partition of the lands amongst the heirs  
of John Miller deceased, and the said  
John M. Ewing does hereby ~~rearrange~~  
generally against all persons the right, title  
and interest hereby conveyed witness  
my hand and signature and seal.

John M. Ewing,

State of Arkansas, }  
County of Lawrence } to wit;

This day John M. Ewing whose name  
is signed to the foregoing deed dated Sept  
30th 1882, and executed to A. C. McNeil  
personally appeared before me the un-  
dersigned, a Justice of the peace in and  
for Lawrence County Arkansas, and  
acknowledged the same to be his act  
and deed, given under my hand and  
Seal this the 30th day of September 1882.

Joseph D. Hardin J. P. Seal

Virginia Lee County Court Clerk's office Nov 2nd 1882.

The foregoing deed bearing date Sept 30th 1882,  
between John M. Ewing of Lawrence County State  
of Arkansas of the first part, and A. C.  
McNeil of Lee County Virginia of the second  
part, was this day admitted to record  
upon the certificate of Joseph D. Hardin  
a Justice of the peace in and for Lawrence



County Arkansas,

Teste John R. Gibson Clerk

A copy

Teste John R. Gibson Clerk



A. C. McNeil  
From 3 Copy of  
J. M. Ewing.  
Seed Book 20  
Page 89.

(61

See for this copy 50%



Virginia

At a circuit Court Continued and held

for Lee County & August 27<sup>th</sup> 1884

Silas D. Martin

Plff

vs

In Chancery

A. B. McInnis et al

Defts

# # # # # On Consideration of all which  
it is adjudged ordered and decreed that lot No 2  
in the bill mentioned be partitioned into six  
equal parts quantity and quality considered  
and one of these 6 parts be assigned to the Plff  
adjoining his other lands if the same can be  
done without injury to the other parties, that a  
like sixth part be assigned to the Deft, A. B. McInnis  
adjoining his other lands if he desires it, and  
the same can be done without prejudice to the  
rights of the other parties, that a like sixth be  
assigned to Charles A. Ewing a like quantity to  
Bathsheba R. Ewing a like share to Oney Harris  
and a similar share to Emily Harris, and to  
attain such partition Eli Davis, David O.  
Woodward and Jefferson Neff are appointed  
Commissioners and are charged with the duty  
of making said partition, and they will report  
their action to the Court, and until the coming in  
thereof the Cause is continued.

A Copy Test J. A. G. Hyatt c c



David O. Woodward Jonesville.

For  
&  
Eli Davis

Silas E. Martin  
vs 3 Cours Report  
A. C. McNeil and

---

Filed Nov 6 1884  
J. A. Hyatt CC

Cours fee \$5.00



Silas D. Martin

Peff

vs.

A. C. McNeil. Chas H. Ewing Bathstuba

R. Ewing, Gray Harris & Emily Harris Defts

In Chy.

I do swear that according to my best information and belief the above named Chas H. Ewing, ~~Bathstuba~~ R. Ewing, Gray Harris and Emily Harris are not residents of the state of Virginia so helps me God.

Henry J. Morgan

Sworn to before me by H. J. Morgan

the day of June 1884.

Eli Davis

Jeff Neff

D. O. Woodard.



Silas D. Martin

vs. { affd, for Pub.

A.C. McNeil & Co.



Virginia.

At Rules held in the Clerk's  
office of the Circuit Court for  
Lee County on the 28<sup>th</sup> of April 1884.

Silas D. Martin

Plaintiff

vs

Alex. C. McNiel & others

Defendants

In Chancery

The object of this suit is have a decree  
rendered directing partition of the lot  
of land mentioned in the Bill between  
the parties in interest. And it appearing  
from an affidavit filed in this cause that  
the defendants Charles H. Ewing, Arrey  
Harris and Emily Harris are non-  
residents of the State of Virginia - It  
is ordered that they appear here within  
one month after due publication of  
this order and do what may be  
necessary to protect their interest  
in this suit.

A Copy Lste. - J. A. Hyatt

St. J. Morgan P. C.

Clerk



Silas D. Martin  
vs  $\frac{3}{3}$  Order Pub

A. C. McNeil et al

---

I certify that I  
delivered an office  
copy of this notice  
to Lee Co. Sum for Pub.  
lication on the 28<sup>th</sup>  
April 1884, and pos-  
ted a like copy thereof  
on the front door of  
Lee C. Ct., at the May  
Term of the County  
Court.

J. A. Hyatt  
C. C.



# THE COMMONWEALTH OF VIRGINIA.

To The Sheriff Of Lee County Greeting :

We Command You to Summon

*A. C. McPhee,*

*Chas. H. Ewing, Bathsheba B. Ewing,*  
*Greg. Harris, and Emily Harris*

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in

*February* next being rule day to answer a bill in Chancery exhibited in our said Court against *them*

by

*Silas D. Martin*—

And have then there this writ. Witness J. A. G. HYATT Clerk of our said Court at the Courthouse

This *28* day of *January* 188*4*, in the 10*8* year of the Commonwealth.

*J. A. G. Hyatt* Clerk

*Copies*



N. No

Silas O. Martin  
vs  $\frac{3}{3}$  Spainbury  
A. C. McNeil et al

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For February Rules 1884

Executed by delivering  
an office copy of the within  
sums to A. C. McNeil &

Bartholomew Ewing. Jan'y 31<sup>st</sup>.

1884

J. H. Ewing D. C.  
for R. D. Flannery S. L. C.



# Publisher's Certificate.

JONESVILLE, VA., Aug 1st, 1884.  
I, Jno M. Morgan, Publisher of the LEE COUNTY SUN,  
a weekly newspaper published at Jonesville, Lee County, Virginia, do certify that the annexed  
Chancery Order was published four successive weeks in said newspaper, publication ending  
May 28<sup>th</sup>, 1884.

Jno M. Morgan, Publisher.  
Pub Fee \$5-00

VIRGINIA—  
At Rules held in the Clerk's Office of the  
Circuit Court for Lee County, on the 28th  
day of April, 1884.  
SILAS D. MARTIN, Plaintiff,  
versus  
ALEX. C. MCNIEL AND  
OTHERS, Defendants. } In Chancery.  
The object of this suit is to have a decree  
rendered directing partition of the lot of land  
mentioned in the bill between the parties in  
interest. And it appearing from an affidavit  
filed in this cause that the defendants Charles  
H. Ewing, Orrey Harris and Emily Harris are  
non-residents of the State of Virginia: It is  
ordered that they appear here within one  
month after due publication of this order and  
do what may be necessary to protect their  
interest in this suit.  
A Copy Teste—  
J. A. G. HYATT, Clerk.  
H. J. MORGAN, P. Q. 3-4t



Silas O. Mastie. Plff  
v.s.  $\frac{3}{4}$  Prob Certificate  
A. C. McNeil chas left

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